IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1077 OF 2005

M/s.Unity Constructions, Pune
and Ors. .. Petitioners
Versus
Yeshwant Samaj Kalyan Sahkari Gruh Rachana San.Maryadit and Ors..Respondents

Mrs.Indrayani Koparkar i/b. N.P.Deshpande for petitioners
Mr.S.S.Patwardhan for respondent No.1
Mr.Ashok Tajane for respondent Nos. 2 to 4, 7, 8 12 to 14, 16, 17, 47, 48, 82 to 84, 87 to 90, 93 to 100, 103 to 109, 115, 116, 119, 120, 122 to 126, 180 to 182, 187 to 191.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 26th November 2007

P.C.

. Heard Mr.Deshpande for petitioner. In my view, no interference is necessary at this stage when the order is passed as early as 5th December 2000 on an application by present petition for joining it as party defendant in Regular Civil

Suit No.1782 of 1994. Nothing prevents the petitioner and indeed has not prevented it from filing its own suit for appropriate reliefs which I am informed has been instituted already.

2. Neither any observations in the order nor the conclusion with regard to its joining in the special civil suit would prevent the petitioner from claiming appropriate reliefs in its own substantive suit. All pleas in that behalf of both sides are expressly kept open. Petition dismissed.

(S.C.Dharmadhikari, J)